

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

**ROBERT C. JOHNSON,** )  
                                )  
**Plaintiff,**                 )  
                                )  
**vs.**                         )              **Case No. CIV-05-1478-R**  
                                )  
**KINGFISHER COUNTY JAIL, et al.,** )  
                                )  
**Defendants.**                 )

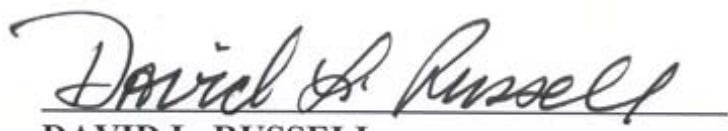
**O R D E R**

This matter is before the Court for review of the Report and Recommendation entered by United States Magistrate Judge Gary M. Purcell on January 11, 2006. The Magistrate Judge recommended that this Title 42 U. S. C. § 1983 action be dismissed for failure to comply with the Court's December 20, 2005 order to either pay the filing fee or submit a proper application to proceed *in forma pauperis*. The Report and Recommendation advised the parties of their right to object thereto on or before January 31, 2006, and further advised the parties that a failure to make a timely objection would waive their right to appellate review. A copy of the Report and Recommendation was mailed to the Plaintiff at the Kingfisher County Jail in Kingfisher, Oklahoma.

On January 18, 2006, the Plaintiff submitted to the Court a change of address form. On February 9, 2006, the Clerk mailed a second copy of the Report and Recommendation to the Plaintiff at his new address. Since that time, the Plaintiff has neither complied with the Court's December 20, 2005 order, nor filed an objection to the Report and Recommendation within the time provided. Accordingly, the Report and Recommendation is hereby ADOPTED in full. The Plaintiff's

Complaint is hereby DISMISSED without prejudice for failure to comply with the Court's order of December 20, 2005.

**IT IS SO ORDERED this 17<sup>th</sup> day of March, 2005.**



DAVID L. RUSSELL  
UNITED STATES DISTRICT JUDGE